

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 14-54373

THOMAS M. SIMO,

Chapter 7

Debtor.

Judge Thomas J. Tucker

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ORDER DENYING DEBTOR'S MOTION TO REOPEN CHAPTER 7 CASE

This case is before the Court on the Debtor's motion to reopen this Chapter 7 case, filed on February 18, 2015 (Docket # 18, the "Motion), seeking to reopen the case "to amend Schedule F in order to add creditor, The Michigan Unemployment Agency."

Upon review of the case, the Court notes that this was a "no-asset" Chapter 7 case — the Chapter 7 Trustee filed a no-distribution report on December 23, 2104. As a result, it is unnecessary to reopen this case merely to enable Debtor to amend his schedules to add a creditor who was not listed previously. Because this was a no-asset case, such an unscheduled debt is discharged to the same extent it would be discharged if it had been scheduled. *See In re Madaj*, 149 F.3d 467 (6th Cir. 1998).

Because it appears that reopening this case for the purpose stated by Debtor's Motion would serve no useful purpose, the Motion must be denied. This Order is without prejudice to Debtor's right to file a timely motion for reconsideration or to refile his motion if he believes that cause exists to reopen this case notwithstanding the Sixth Circuit's decision in *Madaj*, and explain what that cause is. Accordingly,

IT IS ORDERED that the Motion (Docket # 15), is denied.

Signed on March 11, 2015

/s/ Thomas J. Tucker

**Thomas J. Tucker
United States Bankruptcy Judge**